

United States District Court of Northern District
of Illinois Eastern Division

FILED

JUL 17 2023

THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

Defnun B. Thornton-Bey
AKA Defnun Thornton
Petitioner

Case 02-0444 JC

✓
United States of America
Respondents

Motion For Reduction of Sentence According
To The First Step Act And Appointment of Counsel To File It.

petitioner has been incarcerated for 21 years on a 32 years
sentence for possession of a gun and 43 dime bags. 922(g) 120
months, 21 USC 841(a)(1) and 860(c) and 924(c) See Ex #1. I got
for 21 USC 841(a)(1) and 860(c) (260 to 327) months I got the High
end 327 months, See Ex #2. 924(c) I got 60 month pun for -
secutive. I am currently at the Step Down Mental Health Unit
At USP Allenwood I been here going on 8 years.

It was brought to my attention that I qualify for a
Sentence Reduction according the "First Step Act" and "Fair Sentence
Act". I was also informed a 924(c) is not consecutive anymore.

According to Section 404(c) a person can not seek relief under the Act more than once if the first motion was "denied" after a complete review of the motion on the merits. "First Step Act 404(c) United States v Shaw 957 F.3d at 743 (7th Cir 2020).

Thus I ask the court to Appointment Counsel from the Federal Defenders Office to help prepare the "Motion For Reduction of Sentence". That it may be PROPER before the court and inform the court the Relief for petitioner because petitioners only have one time to get it right.

Respect Fully Submitted

De Juan B. Thornton-Bey

Certificate of Mail

I De Juan B. Thornton-Bey State I sent this Motion For Reduction of Sentence To The Clerk of U.S. District Court Northern District Eastern Div from USP Allenwood on date stated below

July 9, 2023.

Respectfully Submitted
De Juan B. Thornton-Bey

DOCKETED

MAY 02 2002

FILED

MAY 01 2002

DESIGNATION SHEET FOR CRIMINAL PROCEEDINGS

MICHAEL W. DOBBS
CLERK U.S. DISTRICT COURT

- 1) Is this an indictment or information arising out of offenses charged in one or more previously-filed indictments or informations? NO ☒ YES ☐

02CRO444

- 2) Is this an indictment or information that supersedes one or more previously-filed indictments or informations?

NO ☒ YES ☐ If the answer is "Yes", list the case number and title of the earliest filed superseded indictment or information and the name of the assigned judge (Local Rule 40.3(b)(2)):

- 3) Is this a re-filing of a previously dismissed indictment or information?

If the answer is "Yes", list the case number and title of the previously dismissed indictment or information and the name of the assigned judge (Local Rule 40.3(b)(2)):

JUDGE HARRAN
NO ☒ YES ☐

MAGISTRATE JUDGE DENLOW

- 4) Is this a case arising out of the failure of the defendant to appear in a criminal proceeding in this Court?

NO ☒ YES ☐ If the answer is "Yes", list the case number and title of the criminal proceeding in which the defendant failed to appear (Local Criminal Rule 50.2(3)):

- 5) Is this a transfer of probation supervision from another district to this District?

NO ☒ YES ☐

- 6) What level of offense is this indictment or information?

FELONY ☒
MISDEMEANOR ☐

- 7) Does this indictment or information involve eight or more defendants?

NO ☒
YES ☐

- 8) Does this indictment or information include a conspiracy count?

NO ☒ YES ☐


- 9) Indicate which of the following types of offenses describes the count, other than any conspiracy count, with the most severe penalty:

- | | | |
|---|--|--|
| <input type="checkbox"/> Homicide (II) | <input type="checkbox"/> Income Tax Fraud (II) | <input type="checkbox"/> DAPCA Controlled Substances (III) |
| <input type="checkbox"/> Criminal Antitrust (II) | <input type="checkbox"/> Postal Fraud (II) | <input type="checkbox"/> Miscellaneous General Offenses (IV) |
| <input type="checkbox"/> Bank robbery (II) | <input type="checkbox"/> Other Fraud (III) | <input type="checkbox"/> Immigration Laws (IV) |
| <input type="checkbox"/> Post Office Robbery (II) | <input type="checkbox"/> Auto Theft (IV) | <input type="checkbox"/> Liquor, Internal Revenue Laws (IV) |
| <input type="checkbox"/> Other Robbery (II) | <input type="checkbox"/> Transporting Forged Securities .. (III) | <input type="checkbox"/> Food & Drug Laws (IV) |
| <input type="checkbox"/> Assault (III) | <input type="checkbox"/> Forgery (III) | <input type="checkbox"/> Motor Carrier Act (IV) |
| <input type="checkbox"/> Burglary (IV) | <input type="checkbox"/> Counterfeiting (III) | <input type="checkbox"/> Selective Service Act (IV) |
| <input type="checkbox"/> Larceny and Theft (IV) | <input type="checkbox"/> Sex Offenses (II) | <input type="checkbox"/> Obscene Mail (III) |
| <input type="checkbox"/> Postal Embezzlement (IV) | <input type="checkbox"/> DAPCA Marijuana (III) | <input checked="" type="checkbox"/> Other Federal Statutes (III) |
| <input type="checkbox"/> Other Embezzlement (III) | <input type="checkbox"/> DAPCA Narcotics (III) | <input type="checkbox"/> Transfer of Probation Jurisdiction .. (V) |

- 10) List the statute of each of the offenses charged in the indictment or information.

Title 18, U.S.C., Sections 922(g)(1) and 924(c)

Title 21, U.S.C., Sections 841(a)(1) and 860(a)


STUART D. FULLERTON
Assistant United States Attorney

Ex #1

1 be, automatically becomes a category 6.

2 The defendant's criminal history is extensive, and
3 without the automatic increase to a category 6, the defendant
4 has a criminal history category 5 by virtue of 11 criminal
5 history points. Defendant also has an extensive list of
6 contacts with law enforcement which did not result in a
7 conviction or which -- or for which a disposition is not known.
8 Therefore, the total offense level for the most serious counts
9 is a total offense level of 34 and a criminal history category
10 of 6. The guideline provisions are guideline -- require a term
11 of imprisonment from 262 to 327 months as well as the
12 consecutive 60-month or five-year sentence on Count 3.

13 Mr. Thornton, do you want to say anything on your
14 behalf regarding sentencing?

15 (No response.)

16 THE COURT: Mr. Fullerton, do you wish to say
17 anything --

18 MR. FULLERTON: Thank you, Judge.

19 THE COURT: -- regarding sentencing?

20 MR. FULLERTON: As I said in the government's version,
21 we feel it's appropriate to sentence Mr. Thornton at the high
22 end of that sentencing range. Mr. Thornton is a recidivist,
23 violent career criminal who was dealing drugs in a public
24 housing project while armed, and there is no reason to think
25 either from his offense conduct -- I mean he was doing this the

*Not did I qualify as a Career Criminal !!
which would have been category 5 (132 to 160)
months*

INMATE NAME/NUMBER: DeJuan Thornton-Bey #20791-424

FEDERAL CORRECTIONAL COMPLEX-ALLENWOOD USP

P.O. BOX 3000

WHITE DEER, PA 17887

HARRISBURG PA 171

11 JUL 2023 PM 2:11



Mailed From US Penitentiary

JUL 1 2023

Office of Clerk

United States District Court house

219 S. Dearborn St

Chicago IL 60604



07/17/2023-7

60604-189423



Legal Mail